

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION

CIVIL NO. 3:23-cv-00142

SOPHIA WILANSKY, )

Plaintiff, )

vs. )

PAUL D. BAKKE, in his personal capacity; )

THOMAS M. GROSZ, in his personal )

capacity; MATTHEW J. HANSON, in his )

personal capacity; MICHAEL W. )

HINRICHS, in his personal capacity; )

TRAVIS A. NELSON, in his personal )

capacity; JOSHUA W. RODE, in his )

personal capacity; EVAN M. SAVAGEAU, )

in his personal capacity; TRAVIS M. )

SKAR, in his personal capacity; GLEN G. )

TERNES, in his personal capacity; JUSTIN )

W. WHITE, in his personal capacity; )

DEREK J. ARNDT, in his personal )

capacity; KYLE KIRCHMEIER, in his )

official capacity; and MORTON COUNTY, )

NORTH DAKOTA, )

Defendants. )

**AFFIDAVIT OF SHAWN A. GRINOLDS**

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STATE OF NORTH DAKOTA )  
) SS.  
COUNTY OF BURLEIGH )

Being duly sworn, Shawn A. Grinolds testifies:

1. I am an attorney duly licensed to practice law in the State of North Dakota and am admitted to practice before this Court.
2. I am a member of the firm of Bakke Grinolds Wiederholt, attorneys for Defendants Morton County, Kyle Kirchmeier, in his official capacity only, Thomas M. Grosz, Matthew J.

Hanson, Glen G. Ternes, and Justin White in this action. I have personal knowledge of the facts stated herein.

3. Attached hereto as ***Exhibit A*** is a true and correct copy of the deposition transcript of Sophia Wilansky taken on February 17, 2021.
4. Attached hereto as ***Exhibit B*** is a true and correct copy of a photograph of a metal fragment that was removed from Wilansky's arm at the Hennepin County Medical Center shortly following the explosion.
5. Attached hereto as ***Exhibit C*** is a true and correct copy of former North Dakota Governor Jack Dalrymple's Executive Order 2016-04 dated August 19, 2016.
6. Attached hereto as ***Exhibit D*** is a true and correct copy of a press release from the North Dakota National Guard dated September 8, 2016 entitled "State Officials Enhance Law Enforcement Presence as Precautionary Measure."
7. Attached hereto as ***Exhibit E*** is a true and correct copy a press release from Morton County and the North Dakota Department of Emergency Services dated October 7, 2016 entitled "State Requests Additional Resources to Support Law Enforcement Efforts."
8. Attached hereto as ***Exhibit F*** is a true and correct copy of a Site Map depicting the locations of protester camps and related areas of interest during the time frames at issue.
9. Attached hereto as ***Exhibit G*** is a true and correct copy of Corrective Warranty Deed from David A. Meyer and Brenda K. Meyer, husband and wife, to Dakota Access, LLC executed December 14, 2016, effective September 20, 2016.
10. Attached hereto as ***Exhibit H*** is a true and correct copy of Unified Incident Command Request for Support dated October 7, 2016.

11. Attached hereto as ***Exhibit I*** is a true and correct copy of North Dakota Department of Transportation Press Release issued October 28, 2016.
12. Attached hereto as ***Exhibit J*** is a true and correct copy of North Dakota Department of Transportation Press Release dated October 31, 2016 entitled “ND Highway 1806 bridge to remain closed north of Cannonball.”
13. Attached hereto as ***Exhibit K*** is a true and correct copy of a letter from Corps District Commander Col. Henderson to Morton County Sheriff Department dated November 1, 2016, with attached map.
14. Attached hereto as ***Exhibit L*** is a true and correct copy of United States Army Corps of Engineers’ (“USACE”) Release no. 20160916-002 entitled “U.S. Army Corps of Engineers grants Special Use Permit to Standing Rock Sioux Tribe” indicating it was posted September 16, 2016.
15. Attached hereto as ***Exhibit M*** is a true and correct copy of USACE Release No. 20161127-001 entitled “Omaha District Commander provides update regarding North Dakota activities”, indicating it was posted November 27, 2016.
16. Attached hereto as ***Exhibit N*** is a true and correct copy of Department of the Army Lease for Agricultural or Grazing Purposes to Dave Meyer dated April 8, 2014.
17. Attached hereto as ***Exhibit O*** is a true and correct copy of Morton County Board of Commissioners Emergency Declaration of Civil Unrest dated August 15, 2016.
18. Attached hereto as ***Exhibit P*** is a true and correct copy of a video file named “Aircraft\_nov20” obtained from and taken by the North Dakota Highway Patrol. The video depicts the protest scene at the Backwater Bridge on November 20, 2016 from 17:58:22 to 22:05:40 (military time).



**CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2023, a true and correct copy of the foregoing **AFFIDAVIT OF SHAWN A. GRINOLDS** was filed electronically with the Clerk of Court through ECF.

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By: /s/ Shawn A. Grinolds  
SHAWN A. GRINOLDS